
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 103 Session of
2025

INTRODUCED BY BARTOLOTTA, FONTANA, COSTA AND STEFANO,
JANUARY 22, 2025

REFERRED TO JUDICIARY, JANUARY 22, 2025

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in protection from abuse, further
3 providing for definitions, for responsibilities of law
4 enforcement agencies, for hearings, for relief, for order to
5 seal record from public view, for service of orders, for
6 arrest for violation of order and for contempt for violation
7 of order or agreement.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 6102(a) of Title 23 of the Pennsylvania
11 Consolidated Statutes is amended by adding a definition to read:
12 § 6102. Definitions.

13 (a) General rule.--The following words and phrases when used
14 in this chapter shall have the meanings given to them in this
15 section unless the context clearly indicates otherwise:

16 * * *

17 "Noncustodial parent." The biological parent of a minor
18 child with whom the child does not reside or with whom there is
19 a court-ordered shared custody of the minor child.

20 * * *

1 Section 2. Sections 6105(e)(1)(i), 6107(a), 6108(a)(4)
2 introductory paragraph and (iii) and (g), 6108.7(b), 6109(a),
3 6113(f) and 6114(c) of Title 23 are amended to read:

4 § 6105. Responsibilities of law enforcement agencies.

5 * * *

6 (e) Statewide registry.--

7 (1) The Pennsylvania State Police shall establish a
8 Statewide registry of protection orders and shall maintain a
9 complete and systematic record and index of all valid
10 temporary and final court orders of protection, court-
11 approved consent agreements and a foreign protection order
12 filed pursuant to section 6104(d) (relating to full faith and
13 credit and foreign protection orders). The Statewide registry
14 shall include, but need not be limited to, the following:

15 (i) The names of the plaintiff and any protected
16 parties or noncustodial parent.

17 * * *

18 § 6107. Hearings.

19 (a) General rule.--Within ten business days of the filing of
20 a petition under this chapter, a hearing shall be held before
21 the court, at which the plaintiff must prove the allegation of
22 abuse by a preponderance of the evidence. The court shall, at
23 the time the defendant is given notice of the hearing, advise
24 the defendant of the right to be represented by counsel, of the
25 right to present evidence, of the right to compel attendance of
26 witnesses, of the method by which witnesses may be compelled, of
27 the possibility that any firearm, other weapon or ammunition
28 owned and any firearm license possessed may be ordered
29 temporarily relinquished, of the options for relinquishment of a
30 firearm pursuant to this chapter, of the possibility that

1 Federal or State law may prohibit the possession of firearms,
2 including an explanation of 18 U.S.C. § 922(g)(8) (relating to
3 unlawful acts) and 18 Pa.C.S. § 6105 (relating to persons not to
4 possess, use, manufacture, control, sell or transfer firearms),
5 and that any protection order granted by a court may be
6 considered in any subsequent proceedings under this title. This
7 notice shall be printed and delivered in a manner which easily
8 attracts attention to its content and shall specify that child
9 custody is one of the proceedings where prior protection orders
10 may be considered. If applicable, a noncustodial parent shall be
11 given notice of the hearing.

12 * * *

13 § 6108. Relief.

14 (a) General rule.--Subject to subsection (a.1), the court
15 may grant any protection order or approve any consent agreement
16 to bring about a cessation of abuse of the plaintiff or minor
17 children. The order or agreement may include:

18 * * *

19 (4) Awarding temporary custody of or establishing
20 temporary visitation rights with regard to minor children. In
21 determining whether to award temporary custody or establish
22 temporary visitation rights pursuant to this paragraph, the
23 court shall consider any risk posed by the defendant to the
24 children as well as risk to the plaintiff. If appropriate,
25 the court shall consult with a noncustodial parent. The
26 following shall apply:

27 * * *

28 (iii) Where the court finds after a hearing under
29 this chapter that the defendant has inflicted serious
30 abuse upon the plaintiff or a child or poses a risk of

1 abuse toward the plaintiff or a child, the court may:

2 (A) award supervised visitation in a secure
3 visitation facility; [or]

4 (B) deny the defendant custodial access to a
5 child[.]; or

6 (C) award custody to a noncustodial parent.

7 * * *

8 (g) Notice.--Notice shall be given to the defendant and
9 noncustodial parent, in orders issued under this section,
10 stating that violations of an order will subject the defendant
11 to arrest under section 6113 (relating to arrest for violation
12 of order) or contempt of court under section 6114 (relating to
13 contempt for violation of order or agreement). Resumption of
14 coresidency on the part of the plaintiff and defendant shall not
15 nullify the provisions of the court order.

16 * * *

17 § 6108.7. Order to seal record from public view.

18 * * *

19 (b) Notice to district attorney [and], plaintiff and
20 noncustodial parent.--

21 (1) The petitioner shall serve a copy of the petition
22 under subsection (a) to the district attorney [and to], the
23 plaintiff and a noncustodial parent within ten days of the
24 filing of the petition.

25 (2) The district attorney [and], the plaintiff and the
26 noncustodial parent shall have an opportunity to be heard at
27 the hearing.

28 (3) Within 30 days of receipt of notice, the district
29 attorney [or], plaintiff or noncustodial parent may file
30 objections to the petition.

1 (4) If no objection under paragraph (3) is timely filed,
2 the court may grant the petition without further hearing if
3 the requirements of this section have been met.

4 (5) As used in this subsection, the term "plaintiff"
5 means the person who entered into the consent agreement with
6 the defendant.

7 * * *

8 § 6109. Service of orders.

9 (a) Issuance.--A copy of an order under this chapter shall
10 be issued to the plaintiff, the defendant [and], the police
11 department with appropriate jurisdiction to enforce the order or
12 agreement and a noncustodial parent in accordance with the
13 provisions of this chapter or as ordered by the court or hearing
14 officer.

15 * * *

16 § 6113. Arrest for violation of order.

17 * * *

18 (f) Hearing.--A hearing shall be scheduled within ten days
19 of the filing of the charge or complaint of indirect criminal
20 contempt. The hearing and any adjudication shall not preclude a
21 hearing on other criminal charges underlying the contempt, nor
22 shall a hearing or adjudication on other criminal charges
23 preclude a hearing on a charge of indirect criminal contempt. A
24 noncustodial parent may participate in the hearing on behalf of
25 the minor child.

26 § 6114. Contempt for violation of order or agreement.

27 * * *

28 (c) Notification upon release.--The appropriate releasing
29 authority or other official as designated by local rule shall
30 use all reasonable means to notify the victim and a noncustodial

1 parent sufficiently in advance of the release of the offender
2 from any incarceration imposed under subsection (b).
3 Notification shall be required for work release, furlough,
4 medical leave, community service, discharge, escape and
5 recapture. Notification shall include the terms and conditions
6 imposed on any temporary release from custody. The plaintiff and
7 the noncustodial parent must keep the appropriate releasing
8 authority or other official as designated by local rule advised
9 of contact information; failure to do so will constitute waiver
10 of any right to notification under this section.

11 * * *

12 Section 3. This act shall take effect in 60 days.